IN THE CLAIMS

Please amend the claims as follows:

Claim 1 (Currently Amended): A specimen surface level adjusting method used in an apparatus for inspecting a pattern on a surface of a specimen with a pellicle frame, wherein the apparatus comprises an optical system of inspecting the pattern on the basis of a detected image obtained by projecting an inspecting light onto the specimen surface and of scanning the specimen two-dimensionally, a moving mechanism for moving the specimen up and down while the optical system scans the specimen, an autofocus mechanism of focusing the optical system on the specimen surface by servo driving the moving mechanism on the basis of the intensity of reflected light resulting from level measuring light projected onto the specimen surface, the method comprising:

detecting ~~the~~ a loss of the reflected light caused by the pellicle frame blocking out the level measuring light or the reflected light;

suspending ~~stopping~~ the ~~servo driving, if~~ focusing the optical system on the specimen surface by servo driving the moving mechanism when the loss of the detected reflected light is greater than a predetermined threshold ~~is detected~~; and

fixing the specimen surface to a reference level corresponding to a position of the specimen surface before the stopping while the ~~servo driving~~ focusing the optical system on the specimen surface by servo driving the moving mechanism remains suspended ~~is stopped~~.

Claim 2 (Original): The specimen surface level adjusting method according to claim 1, wherein the measuring light is projected diagonally onto the specimen surface.

Claim 3 (Previously Presented): The specimen surface level adjusting method according to claim 1, wherein the reference level is a height of the specimen surface immediately before the specimen surface is fixed.

Claim 4 (Original): The specimen surface level adjusting method according to claim 1, wherein the reference level is the average value of the level in a specific period of time before the specimen surface is fixed.

Claim 5 (Previously Presented): The specimen surface level adjusting method according to claim 1, wherein

the reflected light is caused to enter an optical sensor including a plurality of photoelectric conversion elements, and

the loss of the reflected light is detected by monitoring the photoelectric conversion output of each of said plurality of photoelectric conversion elements.

Claim 6 (Original): The specimen surface level adjusting method according to claim 1, wherein

a specimen having the specimen surface is placed on a piezoelectric element, and

the level of the specimen surface is adjusted by a voltage applied to the piezoelectric element.

Claim 7 (Currently Amended): A specimen surface level adjusting method used in an apparatus for inspecting a pattern on a surface of a specimen with a pellicle frame, wherein the apparatus comprises an optical system of inspecting the pattern on the basis of a detected image obtained by projecting an inspecting light onto the specimen surface and of

scanning the specimen two-dimensionally, a moving mechanism for moving the specimen up and down while the optical system scans the specimen, an autofocus mechanism of focusing the optical system on the specimen surface by servo driving the moving mechanism on the basis of the intensity of reflected light resulting from level measuring light projected onto the specimen surface, the method comprising:

detecting ~~the~~ a loss of the reflected light caused by the pellicle frame blocking out the level measuring light or the reflected light;

recording the position of the pellicle frame where the loss of the detected reflected light ~~is detected~~ is greater than a predetermined threshold before inspecting the pattern;

suspending ~~stopping~~ the ~~servo driving,~~ focusing the optical system on the specimen surface by servo driving the moving mechanism when the pellicle position reaches the ~~position where~~ previously recorded position; and

fixing the specimen surface to a reference level corresponding to a position of the specimen surface before the stopping while the focusing the optical system on the specimen surface by servo driving the moving mechanism remains suspended ~~servo driving is stopped~~.

Claim 8 (Previously Presented): The specimen surface level adjusting method according to claim 7, wherein the measuring light is projected from a single light source diagonally onto the specimen surface.

Claim 9 (Original): The specimen surface level adjusting method according to claim 7, wherein the reference level is the level immediately before the specimen surface is fixed.

Claim 10 (Original): The specimen surface level adjusting method according to claim 7, wherein the reference level is the average value of the level in a specific period of time before the specimen surface is fixed.

Claim 11 (Previously Presented): The specimen surface level adjusting method according to claim 7, wherein

the reflected light is caused to enter an optical sensor including a plurality of photoelectric conversion elements, and

the loss of the reflected light is detected by monitoring the photoelectric conversion output of each of said plurality of photoelectric conversion elements.

Claim 12 (Original): The specimen surface level adjusting method according to claim 7, wherein

a specimen having the specimen surface is placed on a piezoelectric element, and

the level of the specimen surface is adjusted by a voltage applied to the piezoelectric element.